UNITED STATES DISTRICT COURT MIDDLE DISTRICT OF TENNESSEE NASHVILLE DIVISION

KEVIN JOHNSON]	
Plaintiff,]	
]	
v.]	No. 3:09-0693
]	Judge Echols
TENNESSEE TITLE VI COMPLIANCE]	
COMMISSION]	
Defendant.]	

ORDER

On July 29, 2009, the plaintiff submitted a *pro se* civil complaint (Docket Entry No. 1) and an application to proceed in forma pauperis (Docket Entry No. 2).

Upon review of the application, the Court determined that the plaintiff had sufficient financial resources available to him from which to pay the fee required to file the complaint.

Accordingly, an Order (Docket Entry No. 3) was entered on September 17, 2009 granting him thirty (30) days in which to remit the entire filing fee of \$350. The plaintiff was forewarned that, should he fail to pay the filing fee in a timely manner, this action would be dismissed for failure to comply and for want of prosecution.

Since the entry of that Order, the plaintiff has failed to comply with the Court's instruction to pay the filing fee. Instead, he has submitted a Motion to Stay (Docket Entry No. 6), asking the Court to extend the time for paying the filing fee to October 19, 2009.

The plaintiff did not pay the filing fee within the thirty day period originally set forth by the Court. Nor has he paid the filing fee by the October 19th deadline he sought from the Court. As a

consequence, the plaintiff's Motion to Stay is DENIED. This action is hereby DISMISSED for failure to comply and for want of prosecution. <u>Sperow v. Melvin</u>, 153 F.3d 780, 781 (7th Cir. 1998)(when a plaintiff has neither paid the filing fee nor obtained pauper status, his complaint is subject to dismissal for want of prosecution).

It is so ORDERED.

Robert L. Echols

United States District Judge